



STATE OF UTAH

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JOSEPH E. TESCH  
CHIEF DEPUTY ATTORNEY GENERAL

April 5, 1991

Honorable Dennis L. Draney  
Eighth Judicial District Judge  
Uintah County Courthouse  
VERNAL UT 84078

Re: Uinta Basin General Adjudication  
Duchesne County Civil No. 3070

Dear Judge Draney:

Enclosed for your consideration are a Motion of the State Engineer and proposed interim Order to govern distribution of water on the Duchesne River system for the 1991 irrigation season. As you know, distribution on this system as been regulated under Court Order as part of the pending statutory adjudication action in Duchesne County during those years when there has been insufficient water to satisfy existing rights.

Copies of the Motion and proposed Order are today being mailed to the attorneys and other parties who have been involved in this matter in the past, along with a copy of this letter. The State Engineer has scheduled a meeting with the Strawberry-Duchesne water users on Monday, April 15th, to discuss with them this year's distribution schedule and to answer any questions they may have.

Climate and runoff conditions this year make it fairly important that the distribution schedule be implemented as soon as possible. It is my understanding that your preference in this regard is to sign the Order immediately, but such Order will only be effective through April 30th, which will allow any initial protests to be filed on or before April 25th. If no initial objections are filed by April 25th, the Order shall automatically be extended for the remainder of the irrigation season. I have, however, provided in the Order that objections may be filed at any time during the season if a water user feels he is being adversely affected. This will allow the Court the opportunity to address any concerns that may arise at a later time and to modify or adjust the distribution schedule if that is appropriate.

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If this procedure meets with your approval and the documents appear to be in order, I would appreciate your executing the Order and forwarding the documents on to the Duchesne County Clerk for filing in the enclosed stamped, pre-addressed envelope. I would appreciate a call from Pat Swim advising me that you have signed the Order so that I can so advise the River Commissioner. I would also appreciate receiving a signed copy of the Order and enclose a stamped self-addressed envelope for that purpose.

If you have any questions, please give me a call.

Respectfully yours,



MICHAEL M. QUEALY  
Assistant Attorney General

Enclosures

xcw/encls: All Counsel and Parties of Record

MMQ/jr